IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.64646-M of 2006

DATE OF DECISION: FEBRUARY 26, 2007

Tarsem Lal Hans

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. H.S.Gill,Sr. Advocate
with Mr.Vivek Goel, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.
Mr.G.S.Kaura, Advocate,
for the complainant.

...

Petitioner Tarsem Lal apprehending his arrest in a non-bailable offence in case FIR No.150 dated 12.6.2006 registered under Sections 406/420 IPC at Police Station Banga, District Nawanshahr, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties.

Counsel for the petitioner contends that the allegations levelled against the petitioner are totally false. The husband of the complainant is already in U.S.A. and it does not seem probable that for getting visa for his wife, Rupees twenty lacs were paid.

Counsel for the petitioner contends that in terms of the interim order dated October 27, 2006, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact. Counsel further on instructions from ASI Baljit Singh states that D.S.P., Banga, who had investigated the matter, has recommended the cancellation report in the case, which is still pending for consideration.

Counsel for the complainant opposes the prayer of the petitioner on the ground that the petitioner is the habitual offender and in

one case of similar nature, he has been convicted. Since in this case, during the investigation, the petitioner has been found innocent by the Investigating Officer and a cancellation report has been recommended, I do not find any force in the contention of the counsel for the complainant.

In view of the above, the interim order dated October 27, 2006 is made absolute on the same terms and conditions.

Disposed of accordingly.

February 26, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE